

STATE OF WISCONSIN
Assembly Journal
Eighty-Seventh Regular Session

WEDNESDAY, November 6, 1985.

The chief clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 418** offered by Representative Wineke.

Assembly amendment 1 to **Assembly Bill 506** offered by committee on State Affairs.

Assembly amendment 1 to **Assembly Bill 519** offered by committee on Education.

Assembly substitute amendment 1 to **Assembly Bill 576** offered by committee on Education.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 84-235

Relating to amusement rides and attractions.

Submitted by Department of Industry, Labor & Human Relations.

To committee on State Affairs.

Referred on November 6, 1985.

Assembly Clearinghouse Rule 85-74

Relating to relief of needy Indian persons and provision of work experience and training opportunities for recipients of this relief.

Submitted by Department of Health and Social Services.

To committee on Children and Human Services.

Referred on November 6, 1985.

Assembly Clearinghouse Rule 85-122

Relating to the petroleum products code.

Submitted by Department of Industry, Labor & Human Relations.

To committee on Commerce and Consumer Affairs.

Referred on November 6, 1985.

Assembly Clearinghouse Rule 85-143

Relating to illumination plan submittal, petitions for variance and associated fees for services provided as specified in the building and heating, ventilating and air conditioning code and the fee schedule.

Submitted by Department of Industry, Labor & Human Relations.

To committee on Economic Development.

Referred on November 6, 1985.

Assembly Clearinghouse Rule 85-147

Relating to short-term loans by savings and loan associations to supervised financial institutions or to registered security brokers and dealers.

Submitted by Office of the Commissioner of Savings and Loan.

To committee on Financial Institutions and Insurance.

Referred on November 6, 1985.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Joint Resolution 60

Relating to initiative and referendum for state lawmaking (first consideration).

By Representatives R. Travis, Lepak, Schultz, Larson, Kasten, Foti, Swoboda, Tesmer, Welch, Ourada, Musser, Johnsrud and Radtke, cosponsored by Senators Plewa, Stitt and Rude.

To committee on State Affairs.

Assembly Bill 629

Relating to miscellaneous changes in collective bargaining impasse resolution procedures for local government employes other than law enforcement and fire fighting personnel, eliminating the expiration date for these procedures, providing for a study and creating a council on municipal collective bargaining.

By Legislative Council.

To committee on Labor.

Assembly Bill 630

Relating to real estate transfer fee forms.

By Representatives Krusick, Becker, Krug, Crawford, Carpenter and Williams, cosponsored by Senators Czarnezki and Lee, by request of city of Milwaukee.

To committee on Ways and Means.

Assembly Bill 631

Relating to appointments of commissioners of a city redevelopment authority.

By Representatives Notestein, Crawford, Barrett, Becker, Krug, Carpenter and Williams, cosponsored by Senators Lee and Czarnezki, by request of city of Milwaukee.

To committee on Urban and Local Affairs.

Assembly Bill 632

Relating to changes in the income eligibility limits for veterans housing loans.

By Representatives Hephner, Shoemaker, Wood, Vanderperren, Wineke, Holschbach, Grobschmidt, Hasenohrl, Swoboda, Antaramian, Hubler, Berndt, Goetsch, Van Gorden, Merkt, Bolle, Menos, Barca, Potter and Brist, cosponsored by Senators Otte, Cullen, Roshell and Andrea.

To committee on Veterans and Military Affairs.

Assembly Bill 633

Relating to the inheritance tax exemption for lineal issue.

By Representatives Shoemaker, Hasenohrl, Fergus, Volk, T. Thompson, Magnuson, Ladwig, Huelsman, Schneiders, Wimmer, Zeuske, Coleman, Foti, Musser, Walling, Matty, Prosser, Buettner and Paulson, cosponsored by Senators Andrea, Davis, Lorman and Lekan.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 634

Relating to creating a natural resources land acquisition commission to approve or disapprove certain proposed land acquisitions by the department of natural resources.

By Representatives Tregoning, T. Thompson, Van Gorden, Vanderperren, Plizka, Clements, Ourada, Welch, Matty, R. Travis, Goetsch, Buettner, Musser, Lepak and Johnsrud, cosponsored by Senators Kreul, Kincaid and Stitt.

To committee on Environmental Resources.

Assembly Bill 635

Relating to underage persons on premises of curling clubs with alcohol beverages licenses or permits.

By Representative Robinson, cosponsored by Senator Chilsen.

To committee on Excise and Fees.

Assembly Bill 636

Relating to publications eligible to publish legal notices.

By Representatives Bell, R. Travis, Hauke, Becker and J. Young.

To committee on State Affairs.

Assembly Bill 637

Relating to exempting cranberry processors from certain food processing plant licensing requirements.

By Representatives Holperin, Hasenohrl, Musser, Hubler, Antaramian, Wineke, Manske, Paulson and Barca, cosponsored by Senators Kincaid and Helbach.

To committee on Agriculture.

Assembly Bill 638

Relating to imposing the property tax on state forest lands owned by the department of natural resources and discontinuing the payments in lieu of taxes on that land.

By Representatives Holperin, Shoemaker, Van Gorden, Volk, Ourada, Hubler and Musser, cosponsored by Senators Kincaid, Kreul and Roshell.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 639

Relating to allowing fixtures to be the subject of replevin actions.

By Representatives Holperin and Antaramian, cosponsored by Senator Roshell.

To committee on Judiciary.

Assembly Bill 640

Relating to hospital laboratory reports and preliminary hearings.

By Representatives Antaramian and Barca, cosponsored by Senator Andrea.

To committee on Health.

Assembly Bill 641

Relating to taxation of remainder interests in qualified terminable interest property, exemptions from the real estate transfer fee, disclaimers, retention of property by fiduciaries and accounting by corporate testamentary trustees and guardians.

By Representatives Hubler and Robinson, cosponsored by Senator Adelman, by request of Wisconsin Trustees Association.

To committee on Ways and Means.

Assembly Bill 642

Relating to wage claims filed with the department of industry, labor and human relations.

By Representatives R. Young, Plizka and Schober, cosponsored by Senator Feingold.

To committee on Labor.

Assembly Bill 643

Relating to buyers of farm products in the ordinary course of business.

By Representatives Bolle, Holschbach, Swoboda, Vanderperren, Volk, Hubler, Gronemus, Paulson, Byers, Turba and Bradley, cosponsored by Senators Otte, Roshell, Van Sistine, Kincaid and Lasee.

To committee on Agriculture.

Assembly Bill 644

Relating to reimbursements for private local attorneys for representing indigent criminal defendants.

By Representatives Walling, Buettner, Merkt, Schmidt, Schober, Plizka and Huelsman.

To committee on Criminal Justice and Public Safety.

COMMITTEE REPORTS

The committee on State Affairs reports and recommends:

Assembly Bill 506

Relating to the authority of cities, towns and villages to impose franchise fees on cable television operators.

Adoption of assembly amendment 1:

Ayes: (6) Noes: (2)

Passage: Ayes: (6) Noes: (2)
To committee on Rules.

RICHARD SHOEMAKER
Chairperson

some reasonable protections for providers of alcohol acting prudently and in good faith.

Respectfully submitted,
ANTHONY S. EARL
Governor

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

To the Honorable, the Assembly:

The following bill, originating in the assembly, has been approved, signed and deposited in the office of the Secretary of State:

Assembly Bill	Act No.	Date Signed
7-----	49-----	November 4, 1985

Respectfully submitted,
ANTHONY S. EARL
Governor

COMMUNICATIONS

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

Dear Sir: Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill or Res. No.	Enrolled No.	Publication date
Assembly Jt Res 9-----	21-----	October 24, 1985
Assembly Jt Res 23-----	22-----	Not published
Assembly Jt Res 46-----	23-----	Not published
Assembly Jt Res 16-----	24-----	Not published
Assembly Jt Res 48-----	25-----	Not published
Assembly Jt Res 34-----	26-----	Not published
Assembly Jt Res 57-----	27-----	Not published

DOUGLAS La FOLLETTE
Secretary of State

GOVERNOR'S VETO MESSAGE

November 1, 1985

To the Honorable Members of the Assembly:

Throughout the debate on **Assembly Bill 473** I expressed my view that legislation to limit civil liability for negligent service of alcoholic beverages should preserve the rule established in two recent Wisconsin Supreme Court decisions. That rule is that commercial and social hosts who provide alcohol to persons they knew or should have known were minors can be held proportionately responsible for injury subsequently caused by those minors. This is sound public policy.

The present bill exempts from liability those providers of alcohol to minors who do not have actual knowledge of the minor's age. The bill rewards willful ignorance of a guest's or patron's age. It is at odds with our licensing statutes which impose on licensees the responsibility for determining the age of their customers. The bill is further deficient in limiting what little liability it imposes to the actual server, rather than extending it to the employer or owner of the premises.

We have recently taken many steps to combat drunk driving and juvenile drinking. While I sympathize with problems faced by commercial hosts, non-profit organizations and others who rely on alcohol sales, legislation intended to address that problem should at least not counter our recent efforts.

I am vetoing AB 473, but I will sign Special Session Senate Bill 1, which does not overturn the Supreme Court decisions with respect to minors but still offers

November 1, 1985

Honorable Donald J. Schneider
Honorable Joanne M. Duren

Dear Chief Clerks:

The following rules have been published:

Clearinghouse Rule 84-151	effective 11-1-85
Clearinghouse Rule 84-186	effective 11-1-85
Clearinghouse Rule 84-223	effective 11-1-85
Clearinghouse Rule 84-227	effective 11-1-85
Clearinghouse Rule 84-238	effective 11-1-85
Clearinghouse Rule 84-249	effective 11-1-85
Clearinghouse Rule 84-252	effective 11-1-85
Clearinghouse Rule 85-14	effective 11-1-85
Clearinghouse Rule 85-19	effective 11-1-85
Clearinghouse Rule 85-45	effective 11-1-85
Clearinghouse Rule 85-47	
NR 10.01 (2)(f) 1, 2, and (3)(e)7.	eff. 10-1-85
NR 10.27 and 10.29	effective 11-1-85
NR 15.023	effective 3-1-86
Clearinghouse Rule 85-50	effective 11-1-85
Clearinghouse Rule 85-54	effective 11-1-85
Clearinghouse Rule 85-67	effective 11-1-85
Clearinghouse Rule 85-69	effective 11-1-85
Clearinghouse Rule 85-73	effective 11-1-85
Clearinghouse Rule 85-77	effective 11-1-85
Clearinghouse Rule 85-83	effective 11-1-85
Clearinghouse Rule 85-84	effective 11-1-85
Clearinghouse Rule 85-85	effective 11-1-85

JOURNAL OF THE ASSEMBLY [November 6, 1985]

Clearinghouse Rule 85-91 effective 11-1-85
Clearinghouse Rule 85-95 effective 11-1-85

GARY POULSON
Assistant Revisor

October 18, 1985

Ms. Joanne Duren
Assembly Chief Clerk
126 West, State Capitol
Madison, Wisconsin 53702

Dear Joanne:

I am pleased to transmit to you the following reports to the 1985 Legislature on legislation introduced by the Legislative Council:

- RL 85-15 Legislation on the Preservation of Human Burial Sites
(Assembly Bill 507)
- RL 85-17 Legislation on Nursing Homes
(Senate Bill 351)
- RL 85-18 Legislation on Hospital Service Insurance Corporations
(Senate Bill 294)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of these reports are available, on request, in the Legislative Council offices, Room 147 North, State Capitol.

Sincerely,
BONNIE REESE
Executive Secretary

October 17, 1985

The Honorable Thomas A. Loftus
Speaker of the Assembly
Room 211 West, State Capitol
Madison, Wisconsin 53702

Dear Speaker Loftus:

Pursuant to Assembly Rule 11 (2), I am appointing a subcommittee of the committee on Agriculture to consider the subject of the rights of buyers of farm products. The subcommittee will be chaired by Representative Mary Hubler; the other members are Representatives Barbara Gronemus and Heron Van Gorden.

The charge to the subcommittee is to consider the subject matter of Assembly Bill 429 and Senate Bill 384. Both of these measures seek to modify the law's current balance between the rights of buyers of farm products and the rights of holders of security interests in these products. Because these Bills affect substantial property interests and shift legal burdens among various interest groups, all of whom have meritorious arguments in their favor, the subcommittee is directed to seek a solution which remedies the problems arising under current law and yet is agreeable to the affected interests.

I am asking the subcommittee to complete its work and report to the committee on Agriculture no later than January 17, 1986.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely yours,
LARY SWOBODA
Chairperson